

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:17-CV-00314-GCM**

VIPER PUBLISHING, LLC,

Plaintiff,

v.

HOWARD BAILEY JR.,

Defendant.

ORDER

THIS MATTER comes before the Court upon the Motion for Leave for Witness Pat Miller to Appear and Testify by Video (ECF Doc. 153), which was filed on May 14, 2021. This Motion, having been filed on the eve of trial, gives little advance notice to the Court of the need to prepare video technology in the appropriate courtroom. Therefore, the Court finds that it should be granted provisionally, based on whether the courtroom technology can be prepared in time for the witness to appear remotely.

IT IS HEREBY ORDERED that the Motion for Leave for Witness Pat Miller to Appear and Testify by Video (ECF Doc. 153) is **GRANTED PROVISIONALLY**.

SO ORDERED.

Signed: May 17, 2021



Graham C. Mullen
United States District Judge

